

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

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Margaritaville Enterprises, LLC, a Delaware Limited
Liability Company

Plaintiff,

Civil Action No.: 1:23-cv-8189

-against-

The Individuals and Entities associated with the domains
in **Exhibit A**

Defendants.

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ANSWER

Defendants, the “Individuals and Entities associated with the domains in Exhibit A”, by
and through their attorneys Jacob Chen and DGW Kramer LLP, respectfully submit their
Answer to Plaintiff’s Complaint as follows:

1. The allegations of this paragraph is summary one and does not call for a response,
and on that basis, Defendants deny this allegation.
2. Defendants are without knowledge as to the allegations of this paragraph and on
that basis deny these allegations.
3. Defendants admit that they operated and/or use the domain names set forth in
Exhibit A, i.e. assessmeny.com; cashmeretribe.com; facultyan.com; garodenia.com;
lnrsubmit.com; whitecloths.com; supersonie.com, and otherwise deny the allegations of this
paragraph.
4. Defendants deny the allegations of this paragraph.
5. Defendants admit the allegations of this paragraph.

6. Defendants are without knowledge as to the allegations of this paragraph and on that basis deny these allegations.

7. Defendants are without knowledge as to the allegations of this paragraph and on that basis deny these allegations.

8. Defendants are without knowledge as to the allegations of this paragraph and on that basis deny these allegations.

9. The allegations of this paragraph call for a legal conclusion, and do not call for a response and on that basis, Defendants deny the allegations of this paragraph.

10. The allegations of this paragraph call for a legal conclusion, and do not call for a response and on that basis, Defendants deny the allegations of this paragraph.

11. Defendants deny the allegations of this paragraph.

12. Defendants are without knowledge as to the allegations of this paragraph and on that basis deny these allegations.

13. The allegations of this paragraph call for a legal conclusion, and do not call for a response and on that basis, Defendants deny the allegations of this paragraph.

14. Defendants are without knowledge as to the allegations of this paragraph and on that basis deny these allegations.

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29. Defendants deny the allegations of this paragraph.

30. Defendants deny the allegations of this paragraph.

31. Defendants deny the allegations of this paragraph.

32. The allegations of this paragraph do not call for a response and on that basis, Defendants deny the allegations of this paragraph.

33. Defendants deny the allegations of this paragraph.

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Defendants deny the allegations of this paragraph.

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87. The allegations of this paragraph call for a legal conclusion and on that basis, Defendants deny the allegations of this paragraph.

AFFIRMATIVE DEFENSES

1. Plaintiff's claims are barred for failure to state a claim as to and against Defendants.

2. Plaintiff sustained no damages as to or because of any actions allegedly undertaken by Defendants.

3. Plaintiff's alleged injuries and damages, if in fact sustained, was the product of a different party, and not sustained as a result of any conduct by Defendants.

4. The goods allegedly sold by Defendants were not counterfeit in origin, originated from authorized third-party resellers, or were believed by Defendants to be not counterfeit in origin and there was no willful infringement.

5. Some or all of Plaintiff's marks are invalid, as they seek registration of a popular saying that has become genericized through widespread use unaffiliated with Plaintiff's brand.

6. Defendants reserve the right to update and amend their affirmative defenses as additional grounds are discovered or identified.

Dated: New York, New York
December 13, 2023 DGW Kramer LLP

By /s/ Jacob Chen
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